

Will Our Union Answer the Challenge?

Freight Mega-Merger Threatens Jobs

Freight Teamsters got a shock on July 8 when Yellow Freight bought Roadway Express in the largest trucking acquisition in history.

On July 18, ten days later, James

they told him they would operate the companies separately for "a few years" and make only "minimal changes." But trucking analysts say the deal only makes

sense for the corporation if they move, at some point, to consolidate operations.

Hoffa also reported that Yellow has withdrawn its proposed change of operations,



Hoffa, Tom Keegel, and freight director Phil Young held a conference call to brief freight Teamsters. Some information was provided, but anyone looking for a union plan of action came up empty.

What is Yellow's Game Plan?

If Yellow Roadway has a plan — and we think they do — they are keeping it secret. Hoffa reports that



"This deal is about more than what management calls the benefits of synergies. It's about our jobs and our future.

It's a loud wakeup call for every Teamster that this is not your daddy's trucking industry. We need a union prepared for the tasks of the 21st Century.

The members are the union and it's up to us to meet this latest challenge.

We all need to start talking to one another out on the road, or when out picking up and delivering freight, and stick together on this issue."

Jimi Richards

Local 728, Yellow road steward
Atlanta

which was designed to convert existing road and cartage jobs to "premium service" combo jobs at a number of terminals in the East and Midwest. The union gave no explanation for this. Will it be re-submitted? Is this because Roadway operates its subsidiary New Penn in the same area, competing for that one- and two-day freight?

There are lots of questions and few answers being provided.

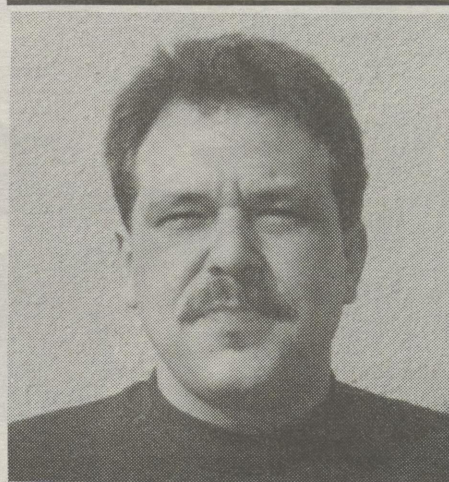
What Is the Union's Plan?

So far, no union plan has been put forward. Instead we heard from Hoffa, Keegel and Young that the company can do pretty much what they want, and "we can only hope they make the right decisions" and that the union will continue to monitor the situation.

This is not adequate when 36,000 Teamster freight jobs, and our future in a major Teamster industry, are on the line.

Our union needs to take a proactive stand now, rather than waiting until it's too late and reacting, or worse, making excuses.

Let's bargain a job security agreement in the event of a merger. For example, the Communications Workers of America just won an arbitration decision-



"This deal has rumors flying everywhere. It's great that Hoffa got to sit down and talk with the CEOs, but why doesn't he tell us what questions they couldn't answer?

We need our leaders to face up to the fact that we could see member pitted against member and local against local. We need a clear game plan for waging the coming battles. The outcome will make or break the future for thousands of Teamsters."

Charlie Helton Jr.

Local 528, Roadway
Chattanooga, Tenn.

putting 3,400 laidoff Verizon workers back on the job, with six months back pay. They had bargained a job protection clause.

Let's bargain a six-month advance warning provision before any merging of operations, so we have time to review it, respond with ideas, and if necessary with a plan of action.

Without a contract open (is it a coincidence this deal came three months into a five-year contract?) how can our union meet and bargain with Yellow-Roadway? That's where that famous hammer comes in.

Just three months ago we all were given the picture of James

Hoffa holding up a hammer. He stated, "We got the hammer back, we got the power back" in the freight industry. Well, this is hammer time. It sure isn't we-hope-Yellow-does-the-right-thing time.

Article 8 of the NMFA gives us the right to strike during the life of the contract. Nobody wants to strike, but we do have some leverage to open up talks with management on our future. Yellow Roadway says they want to maintain good relations with our union.

Is it better for our union to make a plan and move forward now to get protections in place, or to wait until after the fact and then tell us there is nothing we can do?

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Letters From Our Members

Tired of Jumping Through Hoops

I'm fed up with the hoops that Central States is making me jump through to get my pension. Not only did the fund turn down my third appeal of their ruling that my job sorting mail for a small health care company was "prohibited reemployment," but Roadway in Akron turned me down for a job.

They said I wasn't "qualified," even though I had 25 years with CF, PIE, and other Teamster companies.

So you're burned at both ends: you try to retire, and they tell you to stop working. Or you put in 25-plus years with the union and you still can't find a union job if you don't want to retire!

It makes me question the system that I believed in for over 25 years. I wish the International would put pressure on these companies and try to get them to hire ex-CF people.

Meanwhile, Central States seems to be in this alternate universe that doesn't exist. Just talk to anybody who retired from a union job, and they can't believe what the Teamsters rules are for retirement.

John Zaharopoulos, Jr.
Local 24, ex-CF
Akron, Ohio

Equality for Officers

Rank and file Teamsters elect our International and local leaders to work for us. We pay their salaries and benefits. Their pension and health and welfare benefits should be equal to the members they represent, no more, no less. If our leaders get increases in their pensions, health benefits for life, and are allowed to work in any occupation after retirement, the members deserve the same. No more, no less.

Jerry Lamm
Local 24 retiree
Akron, Ohio

Send Us Your Letter by E-Mail

We'd like to hear from you! And if paper and a stamp is not your style, send us your letter by e-mail.

Either visit our web page at www.tdu.org and use the link provided there, or e-mail your letter to letters@tdu.org.



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Organize Wal-Mart

We need to organize more truck drivers. Wal-Mart drivers should be easy to recruit. Working for the richest

people in the world should generate a desire to get a crumb or two from such a big pie.

Ken Nowacki
Local 612 retiree, Birmingham, Ala.



New Location for TDU East Coast Office

The East Coast Office of TDU is on the move . . . literally! The office used by our New York staff members David Pratt, David Levin and Katie Griffiths has moved to a new location.

Teamsters and other union members donated hundreds of hours to renovate the new office space on an all-volunteer basis. But with materials and supplies, the move will cost TDU \$3,000.

The NY/NJ TDU Chapter has launched a raffle to raise the money to cover the cost of the renovation. First prize is a Canon Powershot A70 Digital Camera or \$300. A book of five tickets costs \$10. The raffle winner will be announced at a TDU meeting on September 13, 2003.

To order tickets, contact East Coast TDU at the new address:

104 Montgomery, Suite 1A
Brooklyn, N.Y. 11225.

Or call the new office at 718-287-3283.

How to Contact TDU

We want to hear from you. Contact us at the addresses below for more information about TDU, or to send us articles or letters.

National Office: P.O. Box 10128, Detroit, Mich., 48210. Phone: (313) 842-2600. Fax: (313) 842-0227. e-mail: tdudetroit@tdu.org
Website: www.tdu.org

NY Office: 104 Montgomery St., suite 1-A, Brooklyn, N.Y. 11225 Phone: (718) 287-3283. Fax: (718) 287-3287. E-mail: tdu.east@tdu.org

Jose Guzman, top, wields a power drill, while Mike Ruscigno, above, prepares walls for painting.



Who We Are

CONVOY DISPATCH is the voice of Teamsters for a Democratic Union. We are the united rank and file movement to reform the Teamsters, created out of the merger of PROD and TDU.

We are truck drivers, dock workers, production workers—every kind of Teamster, and spouses, too.

We are a grassroots organization with chapters from coast to coast in the USA and Canada. We believe in returning this union to the membership and we are doing it. We are a democratic organization in which every member has a voice and vote. Our 15-member International Steering Committee was elected in November 2002 for one year. Our Rank & File Convention had over 400 representatives present.

We are proud Teamsters standing up for our rights. TDU invites all Teamsters interested in defending our contracts and reforming our union to join us. We do reserve the right to exclude those who are opposed to TDU and its principles.

Rank & File Bill of Rights

I. DEMOCRATIC BY-LAWS. All business agents and stewards should be elected. Vacancies in office should be filled by special election within three months. Local union committees should be elected. Contract and strike votes should be by majority (not two-thirds). All contracts should provide for elected officers retaining company seniority.

II. DIRECT ELECTION OF OFFICERS. General President and all International officers should be elected by the membership. International VPs elected by regions. An end to trusteeships and split-off locals.

III. A FAIR GRIEVANCE PROCEDURE. Innocent until proven guilty, right to remain on the job until final procedure completed. Grievance procedure should include right to a speedy trial, arbitration by peers, and the right to strike if necessary.

IV. PRESERVATION OF WORKING CONDITIONS. The union's purpose is to expand and preserve what we have, not trade it away for anything less. People come first, not productivity.

V. SAFETY AND HEALTH. We have the right to enter the workplace without fear for our health and leave in the same condition we arrive. Teamsters should have the right, backed up by our union, to refuse unsafe work or hazardous conditions. We are not machinery.

VI. EIGHT-HOUR DAY AND FIVE-DAY WEEK. Forced overtime and unfair dispatch rules destroy our family life and cost us jobs. No mandatory overtime, "flexible" work weeks, or 70-hour slavery. We are for the advent of the four-day work week. We work to live, not live to work!

VII. A DECENT PENSION. Every dollar in the pension funds belongs to us. We are entitled to 25-and-out, cost of living on pensions, and union pension trustees elected by the rank and file and retirees to safeguard our money.

VIII. JUST SALARIES FOR OFFICERS. A union officer can't understand the problems of members who make less than half what he makes. No officer should make more than the highest paid working members in his jurisdiction. No multiple salaries from union, company, or government sources, or special fringes and pensions. Salary increases limited to the average increase for membership, and subject to membership approval.

IX. EQUALITY AMONG TEAMSTERS. Bring all wage levels up to the highest standards, not a lot for the few and little for the many. Fight the hardest for the lowest paid.

X. END TO DISCRIMINATION. Employers have used the differences in age, race and sex to divide us for decades. We oppose these injustices and divisions. Support affirmative action to correct past injustices. Employers should bear the cost of their past discrimination, not the members.

TDU International Steering Committee

Co-Chairs:

Joe Fahey, Watsonville, Calif., Local 912
Maria Martinez, Pasco, Wash., Local 556
Michael Ruscigno, New York Local 802
Michael Savoir, Kansas City, Mo., Local 41

Organizer:

Ken Paff, Detroit

Trustees:

Willie Hardy, Memphis Local 667
Erik Jensen, Minneapolis Local 320
Matt Latzo, Baltimore Local 570

Members:

Millie Gonzalez, Puerto Rico Local 901
Jim Jacob, Providence, R.I. Local 251
Roy Kruchten, Chicago Local 705
Ashley McNeely, Minneapolis Local 2000
George Saavedra, Vallejo, Calif., Local 490
Dawn Stanger, Vermont Local 597
Frank Villa, Los Angeles Local 630

Alternates:

Kirk Stephenson, Seattle Local 763
Louis Irby, Little Rock, Ark., Local 878
John Love, Reading, Pa., Local 429

TDU Rank & File Convention

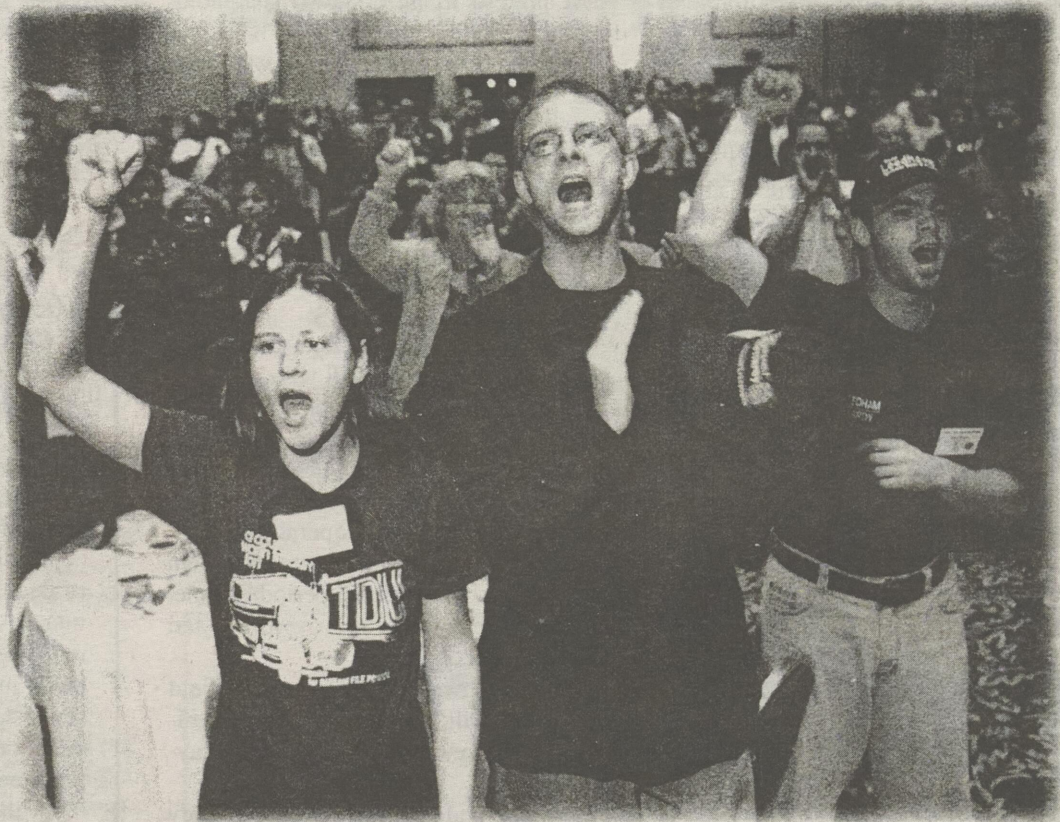
October 24-26

Westin Hotel

Detroit

Metro Airport

FEATURING



Educational Workshops and Meetings

- ▶ Successful strategies for winning grievances and enforcing our rights
- ▶ Fighting apathy and getting members involved
- ▶ Running for local union office
- ▶ Using the truck safety law to defend your rights
- ▶ Legal rights on the job and in the union
- ▶ Organizing the unorganized
- ▶ After you win: meeting the challenge of running a local union
- ▶ Using the Family and Medical Leave Act (FMLA)
- ▶ African-American, Latino and women's caucus meetings

Industry Meetings

The TDU Convention will feature special meetings for Teamsters from throughout the union who work at the same company or in the same industry. Scheduled meetings include UPS, freight, carhaul, Airborne, warehouse, public sector, meatpacking and more. Interested in a meeting not listed here? Call TDU.

Learn from the Best

Meetings and workshops will be led by experienced Teamster activists, attorneys, labor educators and industry specialists. The convention is your chance to meet the leaders of the union reform movement.

Pension Meetings

CSPIC

The Central States Pension Improvement Committee will hold a national summit in conjunction with the TDU Convention. This summit will bring together CSPIC leaders and supporters, pension experts, attorneys and actuaries to share information and plan the next steps in the pension improvement campaign.

WESTPIC

Teamsters from the Western Region who are fighting cuts in their future pensions will meet to develop plans for their fight for pension justice.

Want to Know More?

For more information, or to register, call TDU at 313-842-2600 or visit www.tdu.org.

An Exchange Between Roadway CEO and Roadway Worker

Two Points of View on Roadway Sale

The following is an exchange between Roadway CEO Jim Staley and Roadway Spy, an online newsletter.

Jim Staley, CEO, Roadway Express:

Spy, I'll try to answer your question as directly as I can. This was an unsolicited offer by Yellow to acquire Roadway Corp. We were not attempting to sell or attract offers for the company in any way.

This has been unsettling for all of us, but I can tell you that, as a member of the Roadway Corp Board of Directors, we dealt with this in the only way that we

legally could and that was to protect the best interests of the Roadway shareholders.

My concern going forward will be to see that we can create the best future possible for all Roadway employees and I will remain committed to that task.

Comments by Roadway Spy:

Ladies and gentlemen, this landscape keeps changing daily. We now have to deal with the fact that our biggest competitor owns us.

This has shades of *deja vu* for the Preston folks who are still with us. From their input, I'm getting a profile on how Yellow will probably operate.

Once the deal closes, then the incorporation will begin. They will eliminate redundant back-office operations first. This will take more than a year for them to complete. In that same period of time, they will be cutting any overtime, and tightening up on money.

In years two, three and four, field operations will be combined, and terminal closings will begin, along with layoffs.

Do not underestimate Yellow. They make money while dancing on a shoestring. They lease their equipment from Penske, so they have no rolling stock; they lease properties to all trucking companies.

They make money by eating up their competition. They acquired Preston in 1994 for \$62 million, ran them into the ground for four years, then spun them off, allegedly debt free, and took a \$64 million tax break from the U.S. government for doing it! Well folks, you can't operate without capital, so on day one of the Preston spinoff they were already \$1

million in the hole and had substantial customer base losses, due to Yellow's cherry picking.

To me, It looks like Mr. Staley's own board of directors not only screwed the pooch for the bucks, but screwed all of

us for the future. I'd sure like to know the vote, yeas and nays. As more information develops, I'll post it. If you happen to find anything out, and can verify it, drop me a line at RoadwaySpy@aol.com and let's chat. Until next month, Be Safe!



I'll Be There

Last year was my first TDU Convention and I will be back this year. I was amazed at what I saw the first time. The way it is run, the seriousness about building our union, the caliber of people — I thought, this is exactly what I want our union to be about. If you are looking for a way forward with our union, the TDU Convention is the place to be. Don't wait many years, like I did, to attend. Be there and be part of the future of the Teamsters.

Jimmy Rickert
Local 28, Roadway
Greenville, S.C.

Carhaul Contract Ratified

On July 15 the International Union announced that the carhaul contract was ratified with a 72 percent yes margin, and will be in effect for the next five years.

TDU has learned that the contract was rejected in Detroit Local 299, the largest carhaul local. The Michigan Office Supplement was also rejected. The International so far declined to release any numbers on the vote.

The vote in Local 299 and perhaps other strong Teamster units illustrates the ambiguous feelings that many carhaulers have about giving concessions in an attempt to preserve jobs or help Allied Systems, the largest carrier, survive.

The contract has a wage freeze in 2003 and 2004, and 40¢-40¢-50¢ in wage increases (and comparable mileage increases) in the following three years. The money for health and welfare matches the freight contract. Carhaulers in the Central-Southern areas are also headed for a pension freeze, unless rank and file action can change that. Thousands of carhaulers are supporting the Pension Improvement

Committee to do just that.

In the Central-Southern and Eastern regions the employers won a new "competitive" concessionary clause that will automatically impose half-rate cuts for "new business" and removes the members' right to vote to approve such deals.

Allied management benefited extra generously from the contract, because last fall they bargained a "me-too" deal for their large Canadian operations, in which the wage hikes for the first two years in Canada would match those bargained in the U.S. Thus the wage freeze now applies in Canada as well.

The International Union has announced that organizing in carhaul will now be a major priority. If so, that will be a welcome development that all carhaulers can support.

To receive more information on the contract, contact TDU at 313-842-2600. Or see www.tdu.org, where the full monetary proposal and full text of the new concessionary Article 22 are available, along with analysis of the contract.

Freightlines

Locals 705 and 710 Freight Contracts Still Not Settled

Contracts covering Yellow, Roadway, ABF and USF Holland city and dock Teamsters in Chicago locals 705 and 710 remain unrati ed. Local 705 members rejected the first proposed contract last April. In mid-July, members received ballots for a new proposal. Local 710 officials have held no ratification vote despite waiting months since negotiations ceased. Local 705 principal officer Jerry Zero recently told freight Teamsters that the second ratification vote will be counted Aug. 4. The ballot includes strike authorization.

The new agreement includes a couple of improvements in conditions designed to deal with members' complaints. Teamsters splitting their fifth vacation week into days would be able to request those days off up to 48 hours prior to the requested day off. Some drivers said that the reduced notification period didn't much matter to them, because their employers too often denied the requests with seven days notice. Roadway drivers would get an additional five minutes added to their single ten-minute break (still falling short of the two 15-minute breaks received by many drivers covered by this contract).

In the rejected first offer, the union bargained to advance the date of benefit increases from the usual Aug. 1 to April 1. In this offer, that deal was lost.

Should members have expected more? It's now up to the members to decide.

'Cleveland Practice' Given Away by Local 407 Officials

Under the "Cleveland Practice" that has been in effect for over 30 years, when a road driver was laid off he could use his seniority to bump over to the yard/dock classification until recalled to the road. Likewise a laid off dock or yard worker could use his seniority to bump to the road until recalled to the yard/dock, increasing the job security of all.

Now Local 407's leadership has given away this 30-year deal without so much as a vote. But members are fighting back, aiming to reverse this giveaway.

With the recent Yellow change of operations, Yellow laid off 45 drivers who did not move. Some of the 45 chose to exercise their seniority and tried to bump over to the yard/dock. Local 407 officials told them that the Cleveland Practice did not apply since they decided not to follow their work. Laidoff members were told any grievances filed on this matter would not be supported at the local committee. This deal will affect others — dock and road, and all NMFA carriers — in the future if not stopped now.

Trial Date Set in CF WARN Act Case

Consolidated Freightways faces a June 2004 court date over violation of the WARN Act. Former Teamster employees are suing CF for not giving them the 60-day notice of layoff required by law. If CF is found liable, they will owe our brothers and sisters for back pay and benefits for the period of the violation up to 60 days.

The case is in the discovery phase with both sides requesting documents and taking depositions. A final decision in the case could take years.

Yellow Reveals 'Premium Service' in Change of Ops Proposal

Following the announcement by Yellow of its purchase of Roadway, the company withdrew their latest proposed change of operations that covered much of the East and parts of the South and Midwest. The change included Yellow's plans for the new job classification of "premium service employee." The proposal called for a net loss of 43 local cartage jobs; a net loss of 71 road jobs; and the creation of 134 premium service jobs. Basically it transformed existing jobs into "premium service" combo jobs. Yellow's proposal made clear management's view of the "flexibility" language in Article 18 of the new contract.

Prior to ratification members were sold the new language with claims by the IBT leadership that premium service combo jobs would be new work, not take away existing union jobs and force members to move. Members made their voices heard on various web sites, in Yellow break rooms, and in locals.

The proposal has been withdrawn, but it revealed how Yellow interprets premium service. The truth lies in the numbers, and they undermine real job security for working Teamsters.

A black and white portrait of a man with dark, wavy hair, smiling slightly. He is wearing a light-colored, possibly white, shirt. The background is dark and out of focus.

Organize

Though the economy continues to limp along, the UPS financial picture is looking bright. Net profits for the second quarter increased 13.3 percent over the same period last year. Next Day Air volume grew by 9.1 percent and package volume overall increased 1.2 percent. The international segment showed dramatic results, with revenue increasing 19.8 percent to \$1.37 billion and operating profit surging 154.8 percent to \$158 million.

Important Pension Meeting

National Pension Summit to Set Action-Plan for Victory

The Central States Pension Improvement Committee will hold an important National Summit in conjunction with the TDU Rank & File Convention in Detroit, Oct. 24-26.

The summit will bring together CSPIC leaders and supporters, pension experts and attorneys to present a plan of action to concerned Teamsters and retirees. This is the one and only national meeting of all Teamsters concerned about the reemployment rule, the pension freeze, and the escalating charges the fund is imposing for retiree health care.

Ann Curry Thompson, lead counsel in the *Herman et al v. Central States Pension Fund* case, will be there to present an update. The case is presently slated for trial in October.

If you are concerned about your pension and want to be part of the solution, you should be there. You'll learn what's happening, meet those who are making it happen, and be part of shaping how we will win major improvements in the fund in the coming year.

You will be part of the Rank & File Convention, and be part of making history. See pages 3 and 12 for more information and call 313-842-2600 or visit www.tdu.org to register today.



Attorney Ann Curry Thompson has met with Teamsters in many states to update members on the lawsuit and to get their input. Contact CSPIC or TDU today to schedule a meeting in your area.

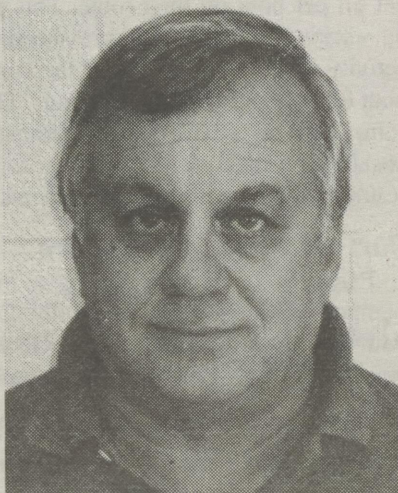


"I want to be able to retire without having to worry about how to make ends meet or whether I'll lose my pension if I take a job to make some extra money.

"That's why I'm going to the TDU Convention and CSPIC national summit. The Pension Improvement Committee has made a lot of progress, but we have more to do. We need to get together to plan our strategies. I hope to see you there."

Raymond Cordes

Local 270, UPS, New Orleans



Judge Tells Fund:

You Can't Stop Members and Retirees Lawsuit!

When Teamster members and retirees sued the Central States Pension Fund over restrictions preventing retirees from working to supplement their income, the fund said the suit was frivolous and would be dismissed. They were wrong.

On June 5 Federal Judge Suzanne Conlon signed an order denying the fund attorneys' motion to dismiss the reemployment rule lawsuit, ruling that it could go forward on six of seven counts.

This is a great victory for the plaintiffs and the Pension Improvement Committee. It should show members, union officials, and fund trustees that the lawsuit is not going away until the fund changes the reemployment rule.

Judge Conlon ruled that the case can forward on these six claims against the fund:

- Breach of fiduciary duty and unreasonable interpretation of provisions preventing reemployment.

- Denial of accrued benefits to re-

tirees.

- Elimination or reduction of retirement benefits through changes in the reemployment rule.

- Offset of allegedly overpaid benefits through reemployment rule changes.

- Changes to reemployment provisions without proper notice.

- Unreasonable claims procedures that deny members full, fair and prompt consideration of claims.

Fund attorneys were successful only in dismissing one count, relating to interference with protected rights.

They are now trying to delay the case by contesting its certification as a class action lawsuit. The judge has issued a ruling that will require the plaintiffs' attorneys to provide more evidence of the size of the class.

Lead counsel Ann Curry Thompson will offer evidence to show that thousands of members and retirees are affected by the fund's rules.

Nyhan: Fund Will Be Fine

Central States Pension Fund officials and Teamster officers have conducted an elaborate multi-city road show to convince members that the Central States Pension Fund is financially strapped.

The picture they paint is one of a fund devastated by the stock market that cannot possibly afford to end the pension freeze or eliminate overly restrictive reemployment rules.

But a recent *Milwaukee Journal* article quotes Central States Fund head Thomas Nyhan saying that he thinks the fund will be just fine. These comments will come as a surprise to the many members who have heard Nyhan lay out a much bleaker picture at union meetings.

"I think the Central States Pension Fund will be fine as soon as we've had some time to recover from the worst debacle in the equity markets since World War

II," Nyhan said.

The ups and downs of the stock market are an unavoidable factor that fund actuaries take into account when setting benefit levels.

Take a snapshot of the fund at any given time and it fails to give an accurate picture of the fund's long-term health, or its ability to improve benefits.

Nyhan didn't mention how long that recovery might take. Perhaps as long as it takes for CSPIC to conduct an independent actuarial study of the fund?

Contact CSPIC at PO Box 5657, Savannah, Ga. 31414 or at www.nopensionfreeze.com.

Or call TDU for copies of petitions and bulletins.

Agreement Reached on Teamster Contract at Central States Fund

Members of Local 743 who work at the Central States Pension Fund will soon vote on a four-year contract recommended by their bargaining committee.

The settlement comes weeks after the overwhelming rejection of an earlier proposed pact. Key bargaining issues involved seniority rights and subcontracting.

Negotiations were marked by the same management intransigence that many Teamsters have confronted when they have raised questions or concerns about their pension and health and welfare rights. Executive Director Tom Nyhan, in a letter promoting the earlier contract, claimed changes were necessary to sustain

the health of the fund.

Under the latest contract proposal, there is no language limiting subcontracting, and insiders predict this anti-union practice will continue.

Current claims adjusters will be red circled and retain their pay rate for the life of the contract regardless of transfer to other departments. However, minimum production levels were raised for the claims adjuster classification.

Teamsters who work for the fund will continue to receive the top pension and health and welfare benefits. Some members felt management ultimately agreed to this settlement in order to move on to other changes at the fund.

First Step in Next Stage of Pension Battle

Western Teamsters Submit Thousands of Petitions

On July 1, the day the largest pension cut in Teamster history went into effect, Teamsters active with the Western States Pension Improvement Committee (WESTPIC) submitted over 7,000 petition signatures to the Western Fund's union co-chair Tony Lock.

The petitions were gathered over the past three months, as concerned Teamsters spread the word, barn by barn, as well as through the WESTPIC website, www.nopensioncuts.org, about the pension trustees' unjust move.

"The cuts you have put in place, if not rescinded, will place a special hardship on Teamsters planning to retire in the next few years," the WESTPIC activists wrote to Lock. "Please consider the suffering your policies are going to inflict on these hard-working brothers and sisters, some of whom stand to lose well over \$100,000 during their retirement years if these cuts stay in place for the next three years."

Previous experience shows that member pressure can have an effect on pension trustees. In the Central States fund, trustees suspended some recently implemented reemployment restrictions after receiving over 10,000 petition signatures from Teamsters in that fund.

While the Western trustees have not found the time to respond to member concerns yet, WESTPIC activists are vowing to continue the fight.

"This is just the beginning," said Los Angeles Local 572 member Frank Halstead, one of the WESTPIC letter signers. "As more and more Teamsters find out about what the trustees have done to our retirement, our movement is growing. We will keep fighting until the trustees come to their senses and turn back this cut."

Members concerned about the pension cut are urged to continue circulating WESTPIC petitions and informational

leaflets. We are also raising funds to pay for an independent actuarial study of the fund, to see if what the trustees are telling us is true. (See article this page.)



WESTPIC

Western Conference of Teamsters Pension Improvement Committee

PMB 313, 10611 Canyon Rd. E., Puyallup, WA 98373-4256 • contact@nopensioncuts.org • www.nopensioncuts.org

July 1, 2003

Trustees of the Western Conference
Of Teamsters Pension Fund
c/o Tony Lock, Chairman
2323 Eastlake Ave. East
Seattle, WA 98102-3393

Dear Sirs:

We write today on behalf of ourselves, and many thousands of other concerned Teamster participants in the Western Conference Pension Fund. We urge you to consider rescinding the drastic cuts in pension accruals that go into effect today.

Enclosed are thousands of petition signatures from concerned Teamsters who are asking that you restore the accrual to the historic minimum standards of two percent and 2.65 percent. Our Pension Fund has never gone below this base level before.

The cuts you have put in place, if not rescinded, will place a special hardship on Teamsters planning to retire in the next few years. Please consider the suffering your policies are going to inflict on these hard-working brothers and sisters, some of whom stand to lose well over \$100,000 during their retirement years if these cuts stay in place for the next three years.

We note that one Trustee, Chuck Mack, has stated that you will be watching the stock market returns for a few months to see if the cuts can be rescinded. The stock market has risen by a healthy margin the first half of this year. While of course this increase has not erased all the losses of the past three years, certainly we expect you to review the situation, as brother Mack has stated that you would.

We plan to continue our efforts to talk with Teamster participants—and collect more petition signatures—about the cuts you have imposed, and if funds permit to conduct an actuarial study of the Fund, so that Teamsters can see for themselves the facts of the situation. We intend to continue to give voice to the growing number of Teamsters who are concerned and angry over the severe cuts going into effect today.

We would be happy to meet with you to discuss the concerns expressed by thousands of participants.

Sincerely,

Glenn Cisco, Tacoma Local 313
Larry Parker, Los Angeles Local 986
Frank Halstead, Southern California Local 572

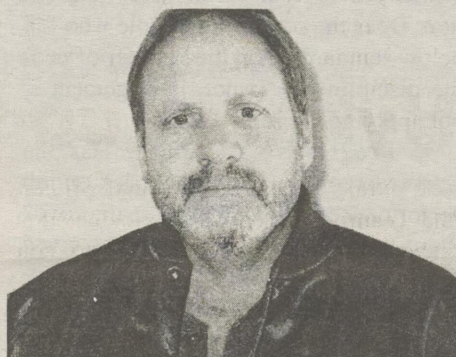
John Stryniewicz, Las Vegas Local 995
Byron Paige, Sacramento Local 150

The above letter was sent to the trustees of the Western Conference of Teamsters Pension Fund along with thousands of petition signatures asking them to rescind pension accrual cuts.

I'll Be There

I attended the Running for Local Union Office workshop at last year's TDU Convention. A few months later I became principal officer of Colorado Local 961. My ability to challenge the old guard came directly from the knowledge I've received from TDU in my 14 years as a member.

When you came to a TDU Convention, bring along an empty suitcase. You'll need it to pack up all the information you'll get and the passion you'll feel for the coming year's worth of fights supporting the rank and file.

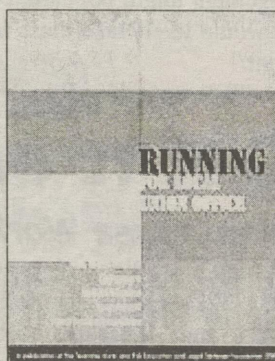


Dick Gebhardt
Local 961 President
Denver

- ▶ Does your local need new leadership?
- ▶ Planning to run for local union office?
- ▶ Get the info you'll need for a successful campaign

Running for Local Union Office

A handbook on running effective campaigns for local union office. Organizing tips, strategies, and a rundown of union election law and regulations. \$10.



Please send me ____ copies. ☐ check or money order enclosed.

Visa/MC # _____ Exp. ____ / ____

Name _____ Local _____

Address _____

City _____ State _____ Zip _____

Return to: TDU, Box 10128, Detroit, Mich. 48210

Pressure Grows for Independent Actuarial Study

As the largest pension cut in Teamster history takes effect, pressure is building to make the trustees of the Western Teamsters Pension Fund open the books and allow an independent actuary to judge the financial health of the fund. Members want to ensure that the trustees have explored all possible options before resorting to multiplier rate cuts that will cost them tens of thousands of dollars.

"We cannot just sit here without a fight," wrote Colorado Local 961 President Dick Gebhardt in the latest issue of

Joint Council 3's newsletter, the *Rocky Mountain Teamster*. "I think that the members are entitled to further evidence from the fund to justify the recent cuts in multiplier rates."

Local 961 is leading the way in pushing for the study, and has invited other unions to join their effort.

WESTPIC fully supports the call for an independent actuarial study, and is currently raising funds to make this possible. See box for how you can make your contribution.

Show Us the Money!

The Western Teamsters Pension Improvement Committee is raising funds to support an independent actuarial study of the Western Pension Fund to find out if cuts in our future pensions are justified. Your support now could make a big difference in your future.

Contribution can be sent to WESTPIC at PMB #313, 10611 Canyon Rd. East, Puyallup, Wash. 98373 or made online at www.nopensioncuts.org.

Or call TDU at 313-842-2600 for more information or materials.



Fighting Production Standards Discipline

Do you work at a warehouse where computerized production standards are making "a fair day's work for a fair day's pay" a thing of the past?

Are you and your co-workers facing discipline or termination if your production falls below management's arbitrary standard for "100 percent"?

Here are some suggestions for poking holes in management's case if workers are disciplined or fired for not meeting standards.

Keep regular track of production discipline.

Stewards should immediately request weekly records for anyone disciplined over production, even if it is just a warning. Computer records are often "dumped" after a few days.

Use information requests.

The union has the right to request information from management necessary to process your grievance. Use information requests to learn how management calculates production standards. See the accompanying checklist of items to request. If the local won't submit a request, put some pressure on them. Have members sign a petition. Send the local a certified letter saying the information is necessary to adequately process the grievance.

Request a union-side audit.

The local should ask the International union to send an auditor to review the standards, or hire one if necessary. In one termination case, a union-hired industrial engineer determined that standards were off by over 11 percent. The fired worker got his job back.

Counter unrealistic standards.

Ask management to have their engineer explain how standards were set. Standards should reflect normal work under normal conditions, not a super-worker under laboratory conditions. Here are some things to look for:

■ **Indirect time.** Making sure all non-work time, or "indirect time," is subtracted

from the work time used to calculate productivity. This includes delay, fatigue, and personal time.

■ **Delays.** How was the delay allowance in the standard determined? Request documentation. Also request documentation of actual delay times to compare. *This leads to an important point: It's crucial that workers report all delay time, for instance when changing batteries. You will help create unrealistic standards if you don't.* If the supervisor tries to blow you off, insist you be credited for the time. Note the date, time, and the name of the supervisor.

■ **Fatigue.** How was the time factored in for fatigue determined? Request a copy of any studies they based their calculations on. Did they conduct an oxygen consumption study, heart rate monitoring, or other energy expenditure study? If management can't give you hard data, argue that their calculations are subjective and don't accurately measure on-the-job fatigue. List the characteristics that make the job stressful or tiresome. Is lighting bad? Are you working in the freezer? In summer heat? In a noisy workplace? In fumes? Does the work require awkward motions or positions? Does it require close attention? Is it tedious? Are you putting in overtime? All of these things should be factored in.

■ **Personal time.** How did the company calculate personal time allowed? Have they given adequate time for bathroom or water breaks? Have they factored in travel time to and from the break area? Companies rarely do, and this can mean a lot of time in a big warehouse.

■ **Different/changed conditions.** Request all information regarding how standards were calculated and under what conditions. Who did the study? When? What were the conditions and layout of the warehouse? Who was studied? Point out changes in warehouse conditions since the study was done that cause delays. These could be permanent changes like a change in the layout of aisles, or temporary changes like a pallet spill.

■ **Differences between sections of the warehouse.** Request data broken down by department (freezer, produce, etc.). Are workers having more trouble meeting standards in one part of the warehouse? Then standards needs to be adjusted there. If you work a lot in the "slower" area, it could skew your overall numbers.

■ **Equipment problems.** Are your forklift and pallet jack in good repair? Are they the same equipment used in the time study? If you use a headset or other receiver, are there "dead spots" in the warehouse that require you to move around to get reception?

■ **No training or inadequate training.** Was the worker adequately trained to carry out the procedures required under the standard? Who gave training? Does the trainer know the proper tech-

niques?

■ **Unsafe or unrealistic standards.** Are the standards based on doing tasks in a safe manner consistent with company regulations and health and safety laws? Are all tasks actually required to perform the order factored in, or have they left some out? Was the study done under ideal conditions or in a real workday environment with traffic in the aisles, etc? Are workers also being disciplined for mispicks caused by working too fast?

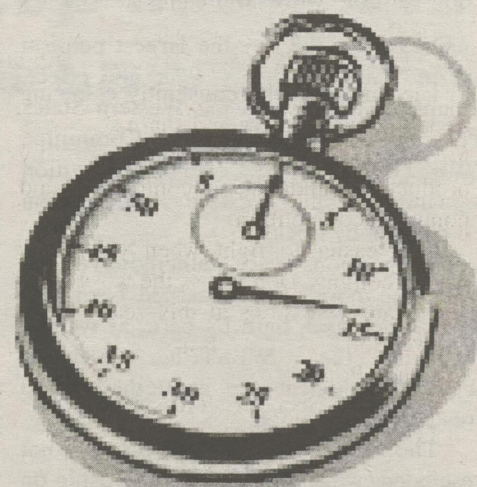
Here are additional grounds on which to challenge discipline:

■ **Changed standards without bargaining.** Management has a duty to bargain over work rule changes not provided for in the contract. If management alters production standards without notifying the union, the union may be able to file an unfair labor practice charge under Section 8(a)(5) of the National Labor Relations Act.

■ **Favoritism.** Request a production summary and a list of employees disciplined during that period over production. Does the number of people who fell below standard equal the number of people disciplined? If not, management is not applying the rules evenly.

■ **Progressive Discipline.** Has the worker been given prior feedback on job performance and a chance to improve? Were verbal and written warnings given prior to other discipline? Have all contract requirements been followed?

■ **The "normal" worker.** Production standards are supposed to be based on the normal worker, not Superman. The normal worker gets old, sick, and occasionally rusty. Is the worker facing discipline a new hire? Returning from an injury or extended vacation? Used to a different job or section of the warehouse? Did illness or personal matters affect their work? Is it an older worker performing to the best of their ability? Management might not care, but an arbitrator would likely take these factors into account.



Before members are disciplined, local unions should be requesting productivity and downtime reports from management, reviewing non-work time allowances, conducting random order audits, and training members on how to track their time. Union production standards committees can be established to divide the workload. The more members involved, the more effective you will be.

The International Union should be coordinating an overall challenge to warehouse production standards. Union-hired industrial engineers should regularly visit workplaces to audit management time studies. Contact the International Union's Warehouse Division to demand this assistance. Until the International and local unions take an aggressive approach to fighting production standards, members will all too often end up challenging production discipline after the fact.

Learn More

For more information on production standards, ask your local or the International for a copy of "Watching the Clock," an excellent guide produced by the International Union Warehouse Division under former director Tom Leedham. If they refuse, contact TDU for assistance in getting a copy.

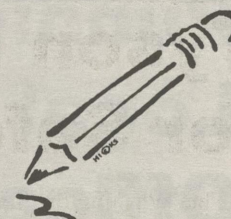
Information to Request

- All worksheets or flow charts used to determine standard times (often referred to as Key Volume Indicators (KVI))
- A detailed description of methods and conditions on which the standards are based
- All studies, calculations or worksheets on unavoidable delays
- Any written policies or statements on rules for downtime or indirect time

Get It on Record!

Warehouse Workers Daily Log Book

To fight discipline over production standards, you need the facts. No one can remember the details of their workday weeks later, so use this pocket-size log to keep track of the conditions that can affect your productivity. Each book has space to record 26 five-day weeks, and is bilingual in English and Spanish. \$4 each; \$3 each for 10 or more



Quantity Ordered _____ Total enclosed \$ _____

Visa/Mastercard # _____ Exp. ____/____

Name _____ Local _____

Address _____

City _____ State _____ Zip _____

Return to TDU, Box 10128, Detroit, MI 48210.

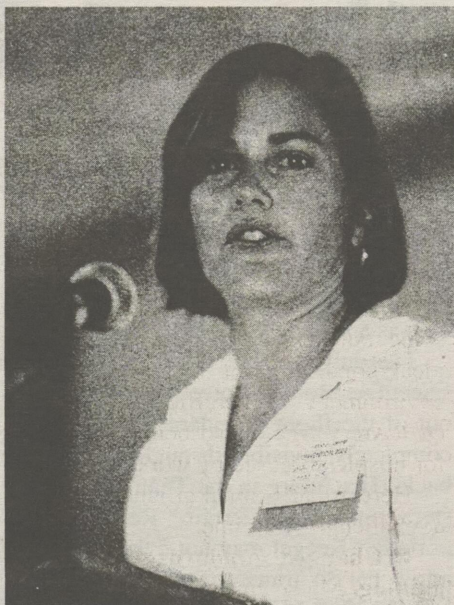
I'll Be There

"The grocery warehouse industry is dog-eat-dog with companies constantly trying to undercut our standards.

"I rely on the annual TDU Convention to keep up with the constantly changing trends in our industry and share strategies for how to meet the challenges posed by production standards, subcontracting, and nonunion competition.

"It's easier to fight when you know what's coming. Don't miss the workshops and strategy sessions at this year's TDU Convention."

Sandy Pope
Local 805 Secretary-Treasurer
Long Island City, New York



How to Start TDU Growing in Your Area: N.Y. Local 118 Members Make it Happen

Rochester, N.Y., members met recently to set plans for building TDU. Though the issues they confront are very specific, the steps they are taking to lay a foundation for a TDU chapter could apply to many other areas or locals.

As is often the case, Local 118 members got interested in TDU because of a hot issue. The local union reopened the contract at Wegman's (a supermarket chain), gave the company a whopping concession and then lied to members about it at the vote count.

Members Decide to Get Active

"We could have given up then and there," Local 118 member Mike LaRocca said. "Instead, we got more active by setting up a website and filing internal charges over the undemocratic vote on our contract." Then they found out about TDU.

"We saw that TDU was fighting the same fight for member rights, but in our

whole union. And it was clear that TDU had the kind of information and experience we could tap into to have the best chance of making progress here in Local 118."

Recruitment Campaign Underway

The group started by ordering a bundle of *Convoy Dispatch* newspapers and distributing them to other members. Then they talked to TDU organizers over the phone and set up a meeting to discuss plans and strategy. That meeting led to a recruitment campaign, now underway, and plans for an educational workshop.

Meanwhile, local officers went on the attack by filing internal charges over the content of the reform website. A hearing has been held and as of this article the decision is pending. "We are fighting for the free speech rights of all members," Blair Kenny pointed out. "We will prevail and keep working for positive change in our local union."

Safety Guards Removed; Teamster Loses Arm

Tyson Foods Fined for Safety Violations

The Washington State Department of Labor and Industries (DOL) has fined Tyson Foods (the former IBP meatpacking plant) \$61,500 for safety violations at its Pasco, Wash., plant on the day that a Local 556 member lost his arm in a cutting accident.

The DOL found that the company removed safety guards and made other changes to the machine that made it possible for the worker's arm to be in a cutting machine while operating the controls.

Maria Martinez, Secretary-Treasurer of Local 556, called the citations a wake-up call for the company to "stop acting illegally and live up to their legal and

moral obligations to their workers to provide a safe and healthy working environment."

A management official claimed that, "We take the safety of our people very seriously," but union and government officials disagreed.

Company Knew of Danger

"They knew it was dangerous and didn't do anything," said Elaine Fischer a spokesperson for the state DOL.

Safety and equipment concerns are expected to be key issues in Local 556's contract negotiations with Tyson Foods next spring.

The Grocery Bag

No Response to Union Busting at N.J. Warehouse

White Rose, the largest independent food wholesaler and distributor in the New York City metropolitan area, recently landed several new and lucrative accounts.

Their response? Management removed the product for its Food Town account from a grocery warehouse represented by Teamster Local 97. Members' work is now being done down the street by nonunion workers.

Hundreds of members signed a petition telling the local they were ready to take action to protect their work and their future. Local 97 officials refused to even file a grievance.

One logical course of action would be to organize the workers. Local 97 representatives told members they had "passed out cards to the workers and were waiting to see if anyone mailed them back in." These are precisely the kinds of completely discredited methods that are coming under fire by the new IBT Organizing Department.

Local 97 members are ready to fight this attack on their jobs. They deserve the full support of their local and International.

Fleming Selling Distribution Centers to C&S?

Fleming has announced a deal to sell its wholesale grocery distribution business to C&S Wholesale Grocers Inc. The planned sale includes Fleming's 12 remaining food distribution centers and five general merchandise distribution centers, plus 14 warehouses that are already closed or closing. Fleming will continue to operate its four convenience store distribution centers. Other prospective purchasers will be able to submit bids until July 28, with an auction to occur July 31, and a final sales hearing on Aug. 4. Prior to announcing the planned sale, Fleming management said that they would close three more distribution centers in Geneva, Ala.; Lafayette, La., and Superior, Wisc., laying off 400 workers, including 250 members of Local 346 in Superior.

It is not known whether C&S would operate the centers on its own or keep some centers and resell others. C&S has 29 warehouse locations in the Northeast and Mid-Atlantic, most of which operate nonunion. C&S's website brags that "65 percent of the employees at C&S are either on incentive pay or part of a self-managed team." Industry analysts are speculating that C&S might lease unionized Fleming warehouses to a third-party outsourcer. Under the leadership of former Teamster Warehouse Division Director Tom Leedham, working in close cooperation with Local 863, our union won the first-ever union contract with C&S in 1998, and a multi-state neutrality agreement for new organizing. There are now Teamster-organized C&S warehouses in New York, New Jersey, and Ohio. The Hoffa administration has let that neutrality agreement expire.

Safeway Takes Over Tracy Warehouse

Safeway will reassume control of its huge Tracy, California distribution center by Aug. 10. The Tracy center employs 1,500 Teamsters. Safeway had previously outsourced the center to Summit Logistics in an attempt to weaken the union. In 2000, Teamsters Local 439 struck Summit Logistics for seven weeks. Under Summit's control, computerized production quotas and discipline of workers were increased. Bringing the Tracy center back under Safeway's control is a positive move away from the trend towards outsourcing work to third-party operators. Tracy workers voted June 28 to approve a new contract with Safeway extending to 2007. Three of Safeway's 15 regional distribution centers are operated by third-party contractors. Three out of four of Safeway's 172,000 workers are unionized, the majority with the United Food and Commercial Workers (UFCW).

Safeway Management Layoffs a Lead Up to Concessions Push?

Safeway has announced it is eliminating 940 mid-level management and administrative positions. It is expected that management will use these cuts as leverage for concessions in upcoming union negotiations. An industry analyst is quoted in *Supermarket News* as saying, "It shows Safeway is not keeping all its white-collar people around, which should help when it asks the unions to give up some benefits."

New Technology to Track Pallets and Cases

Wal-Mart is asking suppliers to start using radio frequency identification (RFID) tags on pallets and cases of merchandise by 2005. The tags contain a microchip attached to a small antenna that transmits information to a reader hooked up to a computer. RFID tags can be read at distances up to several feet, while in motion and don't require a direct line of sight.

RFID stations can be set up at points throughout a warehousing facility to track the movement of pallets and cases. This will eventually reduce or eliminate the need for having workers scan bar codes manually. Expect this technology to spread throughout grocery and warehousing once Wal-Mart makes its use mandatory for suppliers.

Hoffa Drives Out Northwest Teamsters

More than 11,000 Northwest Airlines flight attendants voted to leave the Teamsters and join a newly-formed independent union, the Professional Flight Attendant Association (PFAA), on June 19 in one of the largest decertification votes in Teamster history.

In one day, our union lost more members than we organized last year, and our largest group of women Teamsters. Our union has lost thousands — 48,000 in less than a year, an all-time high. This time, the responsibility lies squarely with the Hoffa-Keegel leadership which drove out 11,000 flight attendants with concessionary bargaining and strong-arm tactics that alienated the members.

In the last round of contract bargaining, the Hoffa administration jumped at Northwest management's first offer and tried hard to sell it to a skeptical membership. When the members overwhelmingly rejected the deal, Hoffa retaliated by dismantling Local 2000's highly effective member-to-member contract mobilizing network called the Contract Action Team.

Ohio Workers Show Yellow Freight:

Nothing Works Without Clerks!

Clerks at Yellow Transportation's Cleveland and Richfield, Ohio, terminals have won wage parity with other Yellow clerks after first voting down two substandard offers. It took a strong rank-and-file contract campaign that involved other Yellow workers and put pressure on the local union leadership, which was reluctant to back members' demands.

Clerks were organized into Local 407 in 1994. At the time they received substantial pay increases, but were still about 70¢ below other Yellow terminal offices in the Central region. During negotiations in 1998, the clerks held out for the additional money, but old guard officials stymied their efforts. When the contract came up in March of this year, these Teamsters decided now was the time.

Local officials told members they wouldn't get anything more than the wage increase in the NMFA, and that the IBT would never sanction a strike affecting 800 workers just to help 27 "girls". They insisted the clerks vote on a tentative agreement rejected by the negotiating committee. Members voted it down unanimously and passed a 100 percent strike authorization vote.

When the local stalled, members kicked into action writing letters, signing petitions, making flyers and wearing buttons. They adopted the slogan "Nothing Works Without Clerks". They put out contract bulletins and mobilized support from road, dock, yard, and city.

Strike sanction was granted by the IBT and strike benefits were approved for over

When members elected reformers to lead their local, Hoffa imposed a "personal representative" on Local 2000 to harass its leaders and members and file bogus internal union charges.

Hardliners Drive Out Members

When some flight attendants formed the breakaway PFAA and launched the decertification effort, TDU urged the flight attendants to stick with the Teamsters and work for reform rather than create a small new union from scratch.

Elected leaders of Local 2000 appealed to the Hoffa administration to offer an olive branch to disaffected members and implement other reforms that would make it easier to convince flight attendants to stay in the Teamsters. Some in the Hoffa administration agreed. But a group of hardliners, led by Tom Keegel, decided it was time to either break the spirit of this militant group of Teamsters or drive them out of the union altogether.

The International imposed a trustee-

ship on Local 2000 and appointed unpopular pro-Hoffa officials to head a local that has always voted at least 90 percent against Hoffa and the old guard. The Hoffa administration's "my way or the highway" approach backfired once again and our union lost 11,000 members as a result.

The only woman on Hoffa's General Executive Board, Dotty Malinsky, came out of the flight attendants, yet she was completely invisible throughout this debacle. Her future in the Teamsters remains uncertain. Reportedly, Keegel may not even allow her to transfer into his Local 120 in Minneapolis, her home base.

Hold the Leadership Accountable

The Hoffa administration's new slogan is "Changing to Organize" but it was the same old guard tactics that drove more than 11,000 members out of the union.

This same leadership has brought out the very worst in their own political supporters. At the 2001 IBT Convention, Hoffa floor whips egged on Hoffa delegates as they jeered

and ridiculed Local 2000 members and shouted sexist and anti-gay comments. Hoffa supporters responded to the decertification news with internet postings saying "bye bye bitches and fags, go Hoffa."

Teamster members need to hold our leaders accountable for the mistakes that are gutting the size and strength of our union, to make certain that these same mistakes don't occur in the future. The survival of our union depends on it.



Ashley McNeely, left, with former Vice President Diana Kilmury at a flight attendants' contract rally.

'I Love This Union'

Ashley McNeely Northwest Airlines Flight Attendant Honolulu

Since 1990 I was a proud Teamster and I worked hard with my brothers and sisters to take on Northwest Airlines management and build a stronger local and international union for all Teamsters.

Being a Teamster, mostly being a member of TDU, has made me a better daughter; an educated citizen, taxpayer, and voter; an activist in my community and in politics; a better, more educated consumer who always buys union when possible; and it certainly made me appreciate the struggles of all working people: Black, white, Latino, Asian, etc., no matter what country.

To have experienced this decertification was like experiencing the death of a close family member or friend. I was in shock for at least two to three days at first, and still at times have a hard time coming to grips with not being a Teamster anymore.

Being a Teamster meant something. Being a Teamster, and a female Teamster leader, brought a sense of recognition and respect. Being a Teamster and member of TDU taught me that one person can make a difference, and that we all have the potential to create change and make a better working environment.

Working within the reform movement, Northwest Flight Attendants built Local 2000 from the ground up and into a strong

union, one that challenged our employer and involved and mobilized the members.

In our fight against corporate greed, we consistently found the Hoffa administration to be an obstacle, not an ally. When we mobilized members, the Hoffa administration promoted a concessionary contract. When we elected reformers, the administration assigned a personal representative to harass and demoralize them. When we needed the Hoffa administration to have a dialogue with us, it trusted our local and further alienated the members.

I have always believed that fighting for Teamster reform, not organizing to leave the Teamsters, was the answer to the obstacles created by the Teamster old guard. Ultimately, the majority of my fellow flight attendants chose a different course. They concluded that we could never have a strong union with the likes of Hoffa and his cronies running the show.

I loved being a Teamster and I love this union. My only hope is that the current leadership under Hoffa won't ruin the proud tradition of being a Teamster. Wherever Hoffa Senior is, I am sure he is spinning in his grave at the abomination that this union has become under his son's leadership.

I wish Teamsters all the best in your fight to build a stronger, more democratic and open union. I will continue to be with you in your contract fights and on your picket lines, and will always be your sister and a Teamster in my heart.

Labor Shorts



Membership Letters: Going, Going, Gone

When Hoffa won office, one of the first changes was that no letters from members were published unless they were in support of the new leadership. The pages of the Teamster magazine were no longer open to dissension or debate from members.

Next, those letters that were allowed were moved from the front of the magazine to the back, replaced in each issue by a photo of Hoffa and a signed statement. Now all letters have vanished, replaced by yet more photos of Hoffa, Keegel and other officials.

Members Welcome at Bargaining — A Good Thing

Hawaii Local 996 claims to have an open-door policy in all its negotiations with employers. Any member of the bargaining unit can come and observe bargaining sessions, and participate in caucus sessions of the union bargaining committee.

Local 996 President Mel Kahele reports, "We have overwhelming support for this open door policy from our committees and from those who come out. Sometimes it doesn't make things easier. But there is more union solidarity, more union involvement."

Truck Driver Injuries

Truck drivers suffered more injuries and illness resulting in days away from work in 2001 than workers in any other occupation. According to the Bureau of Labor Statistics, truck drivers experienced 129,100 work-related injuries and illness resulting in being off work beyond the day of the incident.

New Headlight Rules to Come?

The National Highway Safety Administration is considering new rules for headlights after getting thousands of complaints about glare. The agency's report said it expects to amend federal rules within a year to minimize glare from light truck and SUV headlights and fog lights.

Union Victory Forces Verizon to Reinstate 3,400 Laid-off Workers

An arbitration victory by the Communication Workers of America (CWA) has forced Verizon to reinstate 3,400 laid-off telephone workers in New York, New England and the mid-Atlantic regions with full back pay dating back to December 2002.

The members' contract prohibits layoffs except for those caused by "external events." The arbitrator rejected the company's argument that the recession, competition, the increased use of cellular phones, and regulatory changes in the industry constituted an "external event."

Now, the company hopes to win back in bargaining what it lost in arbitration. In negotiations, the company is demanding the right to layoff workers with up to 10 years seniority. The union is mobilizing to hold onto the job security language.

Former Teamster Wins Discrimination Case at Supreme Court

A Teamster forklift operator fired in 1994 has taken her sex discrimination case all the way to the Supreme Court and won a landmark victory. Catharina Costa belonged to Las Vegas Local 995 and was the only woman working at the Caesar's Palace's warehouse. She was stalked by a supervisor, received harsher discipline than men for the same conduct, was assigned less overtime, and faced sex-based slurs from supervisors and coworkers.

After she won a \$164,377 verdict for her unlawful firing, Caesar's Palace appealed, saying the court should have required her to provide direct evidence that her firing was based on sex discrimination — as opposed to the circumstantial evidence of an illegal motive based on her discriminatory treatment by supervisors.

The Supreme Court disagreed, ruling that the evidence of sex discrimination by management that Costa provided was enough to infer that her firing was discriminatory. This ruling is important, since employers are usually smart enough not to come out and say they are firing you because of your race, sex or age. "The employer is not going to have the upper hand going into these trials anymore," said Costa's attorney.

'Whose Wal-Mart Is It?'

Wal-Mart is going on a public relations offensive to beat back union organizing drives and clean up its image in the face of an employee class action lawsuit over sex discrimination in hiring and promotions. According to management, the goal is to convince employees, customers and community of "how great the jobs we have are." 4,000 employees were recently gathered for a meeting in Fayetteville, Ark., focused on corporate loyalty where management led them in the chant, "Whose Wal-Mart is it? — It's my Wal-Mart." We hope that the IBT will use some of the unused \$6.3 million it has set aside for organizing to help Wal-Mart employees get the voice on the job they deserve.

Website of the Month

The Labor Project for Working Families, <http://laborproject.berkeley.edu>, contains bargaining tip sheets and examples of best contract language for family-friendly policies on child care, elder care, family leave and flexible work schedules.

Deductions for Health & Welfare

Local 631 Concessions Hit Workers' Paychecks

Many members of Las Vegas Local 631 got a rude surprise in their paychecks this month: 58¢ an hour is now being deducted from their wages with every paycheck and placed in the Teamsters Local 631 Security Plan, the local's health and welfare plan.

Why is this happening?

Employer Contribution Reduced

Two years ago, the Hoffa-appointed trustees to Local 631, Ed Burke, Ed Jacobson, and Joint Council 42 President Jim Santangelo, negotiated a \$1.58 reduction in the hourly employer contribution to the Security Plan for casuals in the contract covering thousands of convention workers. *The Employer contribution was reduced from \$3.75 per hour to \$2.17 per hour!* The reduced rate applies to the majority of convention workers, since most get less than 86 hours of work in a month. The trustees agreed to this huge concession even though the bargaining committee strongly objected, saying that it would have a serious effect on the fund.

Trustees Say Fund Going Broke

Now, the union and management trustees at the Security Plan — including Ed Burke, who is now Secretary-Treasurer of Local 631 — are claiming that the plan is going broke. Their solution is to take the money straight out of workers' paychecks!

Many of the contracts Burke has negotiated include an unusual provision allowing direct deductions from members' wages if more contributions to the health and welfare fund are needed. This means that workers at Republic Services/Silver State, Nevada Test Site, and other places with this provision can be hit with a pay reduction any time during the life of their contract.

So here is the story so far: Ed Burke lets the convention contribution to the health and welfare fund be slashed drastically, then Ed Burke declares that the fund is going broke, and finally Ed Burke raids workers' paychecks for more money.

Is the Security Plan really in trouble? The plan's financial statement for 2001-2002 says that projected benefit obligations for present and future retirees nearly tripled in one year, from \$17,796,851 to \$50,478,349. What's the explanation for this enormous increase? Ed Burke and the other Security Plan trustees owe members an explanation.

This isn't the first time Local 631 members have been taken advantage of by their International and local union leadership.

Billy Hogan, Jr. and Dane Passo, two key Hoffa aides, were banned from the union in 2002 for trying to negotiate a sweetheart contract that would have cut Teamster wages and benefits in the convention industry in half.



Philly Strikers Denied Benefits

When 88 members of Philadelphia Local 115 struck against Kurz Hastings on April 1, they counted on their Teamster strike benefits. But numerous members say they are being denied strike benefits by arbitrary and unreasonable restrictions imposed by the local while the International gives members the runaround.

Rules Apply to Some; Officials Decide Who Gets Benefits

Local 115 officials have told some members they cannot receive strike benefits unless they do 40 hours per week of picket line duty. Other members are reportedly receiving strike benefits without meeting the 40-hour requirement.

By phone, staff in the IBT General Secretary's office have told members there is no minimum picketing requirement to be eligible for strike benefits. But the IBT continues to not issue checks to certain strikers.

General Secretary Keegel and his office have not replied to multiple letters from members requesting action, or at least a clarification of the IBT's policy.

Striking Teamsters fighting for their jobs deserve better.

Bust of N.J. Mob Ring Includes Two Teamster Officials

Two staff members of New Jersey Local 97 were arrested in connection with an FBI sting operation against a major mob-run gambling and loan sharking operation in New Jersey.

In all, the FBI arrested 17 suspects, including a reputed "capo" in the Genovese crime family.

The two Teamsters arrested, John Gerow and Kevin Gerow, are brothers, and the sons of the president of Local 97.

Don't Just Read the News!

TUESDAY
JULY 15, 2003

Tri-City Herald

VOICE
OF THE
MID-COLUMBIA

Tyson Fresh Meats fined \$61,500

Department of Labor and Industries issues fine for violations of safety rules when employee lost arm Jan. 2

By Jeff St. John
Herald staff writer

The state Department of Labor and Industries has fined Tyson Fresh Meats Inc. \$61,500 for violations of safety rules at its Wallula beef plant on the day employee Luis Madrigal lost his arm in a cutting machine accident.

Among the most serious safety violations cited was altering the position of controls and removing safety guards from

the type of machine Madrigal was using Jan. 2 when he lost his arm.

"Our inspectors found that the company disregarded the manufacturer's warning the machine should not be used in this manner," said a DLI spokesman.

In addition, the company was cited for failing to provide safety training to employees.

Meeting here Sunday is second in state to rally support for contract provisions.

By Chuck Parker
Special to the Gazette

Trying to dance around red tape involving Teamsters' union retirement

ating the controls because of the modifications," she said.

The citations were made public Monday and are the result of a six-month investigation into Madrigal's accident.

Tyson Fresh Meats, formerly IBP Inc., was fined \$55,000 for its "willful" violation of safety rules for the five Jarvis Model 30CL-1 Hook Cutter machines at

"They knew it was dangerous and didn't do anything to remedy it," she said.

Other citations included a \$5,500 fine for failing to establish formal written procedures for operators of the cutting machines Madrigal was using, as well as coming loose or becoming crooked, citation documents state.

Another \$1,000 fine was levied for the company was extremely disappointed with the citations and planned to contest them.

A company investigation showed its machines' guard mechanisms were in place and operating, the statement said. "We take the safety of our people very seriously," said Ed Nicholson, Tyson Foods Inc. spokesman for Tyson Foods Inc. Springdale, Ark.

He would not say whether the company was extremely disappointed with the citations and planned to contest them.

ster retirees, said Julian Gonzalez, a labor attorney for Teamsters for a Democratic Union.

Brian Ratnave, spokesman for the Teamsters, said in a telephone interview that Teamsters for a Democratic

Some unusual things began happening to Jona Fleuri, according to the National Labor Relations Board, when he and another bus driver thought he was too cozy with management.

After Mr. Fleuri and the other driver, Jose Guzman, began circulating a petition last year asking for an election for shop steward, security guards from the bus company started spying on them, Mr. Fleuri said. Then came threats of violence from company executives and vandalism to his car, he said.

The two men complained to the labor board, which last week lodged charges against their company. Con-

solidated Bus, accusing it of illegally spying on the men and threatening to assault them. The labor board said the company had illegally retaliated against Mr. Fleuri and Mr. Guzman for trying to exercise their union rights.

displaced the company and ways company, linked by prosecu-

organized crime in it.

will have a crime in it.

Company Accused of Threatening Workers

By STEVEN GREENHOUSE

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Safeway Will Assume Control Of Tracy Warehouse Operations

By DAVID GHITELMAN

bring all aspects of their distribution in-house. Jim Hoff, Teamsters union's in-

some reason for a company's management to be nervous."

He noted, "Safeway has a history of contentious

ions with labor at its northern California distribution facility." He added a major reason for bring-

Tibbitt & Britten in to the Tracy facility in 1996

that it "insulated the company from the union."

Andrew Wolf, equity analyst, BB&T Capital Markets, Richmond, Va., pointed out at the insulation has be-

come increasingly frayed. In 2000, the distribution center

as the scene of an occasionally violent 47-day strike by the Teamsters. Eventual-

y, the workers accepted a contract that included a reduction in benefits and hourly wages from the third-party operator's last pre-

strike offer.

Union members weren't the only ones who felt the financial impact of the strike.

Safeway said the strike cost it \$114 million, dropping earnings per share by 13 cents in the quarter ended

Dec. 30, 2000.

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Sold!

Yellow buys 100th way plans to keep TLL units separate

DHL to Pay \$1.05 Billion For Airborne Express

By Jonathan S. Reiskin
Senior Reporter

Deutsche Post revealed plans to expand its U.S. presence when the German postal service, parcel courier and logistics provider said March 25 that its DHL Worldwide Express subsidiary had signed an agreement to buy most of Airborne Inc. for \$1.05 billion in cash.

cel Service, FedEx Corp. and the U.S. Postal Service.

Airborne generated net income of \$14.8 million in 2002 on revenue of \$3.34 billion.

The parties said they expected to complete the deal during the summer.

However, competitors UPS and FedEx — the two largest corporations in trucking — have already raised objections, with UPS formally asking the

"This will be my fifteenth TDU Convention. Every year I see many old friends who are some of the best fighters; they really care about all working people.

"I also get to hear and meet lots of new people who share my commitment to making our union stronger and more democratic. Join us in Detroit and help us build a more powerful labor movement."

Richard Berg

Local 743, University of Chicago Hospital, Chicago

JOIN TDU

TDU MEMBERSHIP APPLICATION

Name _____ Local _____

Address _____

City _____ State _____ Zip _____

Phone (_____) _____ Company _____

e-mail address _____

☐ City ☐ Road ☐ Dock ☐ Clerical ☐ Warehouse ☐ Construction ☐ Production

other _____

____ \$40 one-year membership & subscription to *Convoy Dispatch*.

____ \$95 three-year membership fee.

____ \$25 for spouses, and Teamsters who gross less than \$22,000 a year.

____ \$25 for retirees. Retired from Local _____

Check or money order

Mastercard/Visa # _____ Exp. date ____/____/____

Date _____ Signature _____

Return to: TDU, P.O. Box 10128, Detroit, Mich. 48210

TDU membership is kept confidential. TDU solicits and accepts membership applications and donations only from Teamsters, retired Teamsters and spouses who are not employers. Only funds from Teamster members and their spouses can be used for campaign purposes.



Make It!

Attend the 2003 TDU Convention

Get Informed

The TDU Convention gives you the straight story without the spin, something we don't get from the boss or our International Union.

Get Prepared

Big changes are afoot in our industries and our union. Get the information you need to be prepared for the battles ahead.

Meet the Newsmakers

The TDU Convention brings together Teamster who are making the news — rank and file reformers, pension activists, shop floor troublemakers and local union leaders. Join them at the TDU Convention to share strategies and make plans for our movement.

Want to Know More?

Contact TDU at 313-842-2600 for more information or to register. Or visit www.tdu.org.